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# Security Council

Seventieth year

*Provisional*

**7545**th meeting

Wednesday, 28 October 2015, 10 a.m.

New York

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| *President*: | Mr. Oyarzun Marchesi | (Spain) |
| *Members*: | Angola | Mr. Lucas |
| | Chad | Mr. Cherif |
| | Chile | Ms. Sapag Muñoz de la Peña |
| | China | Mr. Shen Bo |
| | France | Mr. Lamek |
| | Jordan | Mrs. Kawar |
| | Lithuania | Ms. Murmokaitė |
| | Malaysia | Mr. Ibrahim |
| | New Zealand | Mr. Van Bohemen |
| | Nigeria | Mrs. Ogwu |
| | Russian Federation | Mr. Iliichev |
| | United Kingdom of Great Britain and Northern Ireland | Mr. Rycroft |
| | United States of America | Mr. Pressman |
| | Venezuela (Bolivarian Republic of) | Mr. Suárez Moreno |

## Agenda

Reports of the Secretary-General on the Sudan and South Sudan

Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2015/729)

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*The meeting was called to order at 10.10 a.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**Reports of the Secretary-General on the Sudan and South Sudan**

**Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2015/729)**

**The President** (*spoke in Spanish*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of the Sudan to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2015/729, which contains the report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur.

I now give the floor to Mr. Mulet.

**Mr. Mulet**: I thank you, Mr. President, for this opportunity to brief the Security Council on the situation in Darfur.

The report of the Secretary-General (S/2015/729) of 25 September, which is before the Council, provides an update and analysis of the conflict, the political situation and the operational environment in Darfur, as well as the mandate implementation efforts of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). I will highlight key developments identified in the report and over the past month.

As described in the report, the overall security situation in Darfur remains precarious and unpredictable. From December 2014 to June 2015, the forces of the Government of the Sudan implemented the second phase of the Decisive Summer counter-insurgency operation. achieving considerable gains against the non-signatory armed movements. The operation, which involved a series of violent ground clashes and aerial bombardment, led to over 104,000 newly confirmed displacements, as well as 69,000 unconfirmed cases, mainly located in the inaccessible East Jebel Marra area. Since June 2015, with the exception of intermittent clashes with the Sudan Liberation Army/Abdul Wahid, which remains in East Jebel Marra, Government forces have maintained an operational pause during the rainy season.

In contrast, there has been no pause in intercommunal fighting, which remains a major source of instability in Darfur and has resulted in approximately one-third of all conflict-related fatalities and 40 per cent of displacement so far this year. These disputes have been further exacerbated by the involvement of local armed groups in counter-insurgency operations against the armed movements, their access to weapons, continued local influence and widespread impunity for their attacks against other tribes and other criminal activities. The Government of the Sudan, particularly at the state level, has attempted to contain the violence through the swift deployment of security forces in hotspots in North, East, South and West Darfur, and the organization of intercommunal mediation conferences for the cessation of hostilities. However, the underlying causes of these conflicts, related to the use and management of resources and impunity of actors involved in the violence, remain unaddressed.

With respect to the negotiations, following earlier announcements to this effect, on 28 September President Al-Bashir issued decrees providing for a two-month cessation of hostilities in Darfur, Southern Kordofan and Blue Nile states, and an unconditional pardon to members of the Sudanese political and armed opposition who decide to participate in the national dialogue process. On 18 October, following a meeting of its leadership in Paris, the Sudan Revolutionary Front declared its own six-month cessation of hostilities in Darfur and the Two Areas in accordance with its road map of 14 September. The road map further provides for the protection of civilians, unhindered humanitarian access and the creation of an environment conducive to peace talks and the national dialogue.

These positive signals, however, did not reduce the evel of distrust between the two sides. On 10 October, President Al-Bashir launched the national dialogue in Khartoum without the participation of the main armed and unarmed opposition groups. In his opening remarks, the President committed to creating an enabling environment for the participation of all citizens in the dialogue and the release of political detainees who have

not been charged with an offense, and highlighted the Government's readiness to engage in discussions on a permanent ceasefire with the armed movements.

In subsequent statements to the media, the Sudanese political and armed opposition reiterated their boycott of the process in the absence of a conducive environment for a genuine dialogue, as well as their willingness to participate in a pre-dialogue meeting in Addis Ababa under the auspices of the African Union High-Level Implementation Panel (AUHIP). The AUHIP meeting on the national dialogue, followed by cessation of hostilities talks on Darfur and the Two Areas that were initially scheduled for next week, are now expected to take place, respectively, in Addis Ababa from 16 to 17 and from 18 to 19 November.

During the reporting period, UNAMID and humanitarian actors continued to face enormous operational challenges in Darfur. The Government of the Sudan continued to restrict the air and ground movement of UNAMID and humanitarian actors primarily to conflict areas, citing security concerns. Delays and denials by the Government of customs clearances for UNAMID containers, including food rations and visas for staff, have threatened to significantly undermine mandate implementation efforts.

I am relieved to inform the Council that, out of the 190 containers previously blocked in Port Sudan, 52 have been released by the authorities and are being transported to warehouses in Khartoum for further inspections and subsequent transport to the Mission. An additional 52 containers are expected to be cleared and transported to Khartoum this week. The remaining 86 containers are at various stages of the clearance process. In addition, as part of its contingency plan in this context, UNAMID has successfully transported by air locally purchased food items from Khartoum to El Fasher, El Geneina and Nyala. There has been no progress on the issuing of visas since Mr. Ladsous' briefing to the Council two weeks ago.

In addition to these operational constraints, in the past four months an increase in attacks against UNAMID and its personnel has been recorded in Darfur, including the killing of a South African peacekeeper by an armed group north of Mellit, North Darfur, on 27 September. I would like to take this opportunity to reiterate my deepest condolences to his family and to the Government of South Africa.

Despite these considerable obstacles, UNAMID remained steadfast in the implementation of its strategic priorities and addressing key challenges to mandate implementation. In response to the growing levels of intercommunal violence and as part of its strategic priorities, UNAMID supported the mediation of intercommunal conflict through capacity-building and engagement with national and local Government, traditional mediators, tribal and community leaders and the Darfur Regional Authority. In this regard, the Mission also focused its efforts on developing early-warning capacity and other preventive measures with local stakeholders, promoting dialogue between farming and pastoral communities and supporting local institutions to address the root causes of the conflict, in collaboration with the United Nations country team.

In support of the Doha Document for Peace in Darfur, and despite the tensions surrounding the leadership contest among its signatories, UNAMID continued to facilitate the demobilization of former Liberation and Justice Movement and Justice and Equality Movement-Sudan combatants and to support the Darfur Internal Dialogue and Consultations process. After extending the term of the Darfur Regional Authority for an additional year in June, on 19 October, President Al-Bashir announced the holding in April 2016 of a referendum to determine the administrative status of Darfur.

In accordance with resolutions 2173 (2014) and 2228 (2015), UNAMID and the United Nations country team continued their work on developing an operational plan for the gradual and phased transfer of tasks to the latter, outlining which tasks will be conducted jointly or transferred and the requisite budgetary requirements. The initial phases of the process are expected to focus on capacity-building for the sexual and gender-based violence prevention mechanisms, and joint activities in the police, justice and corrections sector.

Regarding the exit strategy, the Deputy Secretary-General, the Deputy Chairperson of the African Union Commission and the Foreign Minister of the Sudan met in the margins of the seventieth session of the General Assembly in New York, on 29 September, to discuss a framework of cooperation regarding the implementation of the UNAMID mandate and the format and exit strategy based on the parameters and benchmarks set by the Security Council and the African Union Peace and Security Council. Trilateral discussions are expected to continue in early November.

I would like to conclude with comments on the overall situation in Darfur and the relationship between UNAMID and the Government of the Sudan. A comprehensive resolution of the Darfur conflict, allowing for the return of the over 2.6 million displaced persons to their places of origin, requires first and foremost a political settlement between the Government and the armed movements. The stated intent of the parties to engage in discussions on the cessation of hostilities, as well as the national dialogue in Addis Ababa, is therefore a commendable step in that direction. It is crucially important that those meetings take place as scheduled and that they create momentum for future comprehensive direct talks on Darfur.

I would like to urge the Government of the Sudan to maintain its current cooperation in ensuring the swift clearance of UNAMID food rations and their delivery to the mission. In order to fully re-establish its collaborative working relationship with the United Nations and the African Union on UNAMID and allow the mission to effectively discharge its mandate, I would furthermore call upon the Government to lift all existing restrictions on the free movement of its personnel and assets, particularly with regard to access to conflict areas and, importantly, the issuance of visas, consistent with the provisions of the UNAMID status-of-forces agreement.

Finally, as Council members are aware, yesterday the Secretary-General and the Chairperson of the African Union Commission announced the appointment of Mr. Martin Uhomoibhi of Nigeria as their new Joint Special Representative for Darfur and Head of UNAMID. On behalf of the Secretary-General, I would like to congratulate Mr. Uhomoibhi on his appointment. I would also like to take this opportunity to thank Mr. Abiodun Oluremi Bashua for his dedication to peace in Darfur and his tireless efforts to deliver on UNAMID's mandate during his tenure as Acting Joint Special Representative over the past year.

**The President** (*spoke in Spanish*): I thank Mr. Mulet for his briefing.

I now give the floor to the representative of the Sudan.

**Mr. Mohamed** (Sudan) (*spoke in Arabic*): On behalf of the Government of the Sudan, and on my own behalf, I would like to express our gratitude to the Secretary-General for his quarterly report (S/2015/729) on the African Union-United Nations Hybrid Operation in Darfur (UNAMID), as well as for his close personal monitoring of the work of the mission, which has included the engagement of the Sudanese Government in the process since the adoption of resolution 1769 (2007). I also thank the Under-Secretary-General for Peacekeeping Operations and all the staff of the Department of Peacekeeping Operations for their good cooperation in achieving our common goals.

I should like to express my condolences to UNAMID and to the friendly Government of South Africa following the death of that country's citizen in Darfur. We face armed groups that are killing the messangers of peace.

We are greatly concerned about references in various parts of the report to the lack of progress towards a peaceful political resolution of the conflict in Darfur, as well as about the Secretary-General's repeated call on both the Government and the armed movements there to immediately and without preconditions resume direct talks. I sincerely hope that no one will seek to be excused from adhering to the 2011 Doha Document for Peace in Darfur as a precondition for participating in the talks. There is no alternative to a negotiated agreement of international nature. Abandoning this would lead nowhere but to a recurring cycle of violence and a return to a protracted conflict situation, which has already been surmounted on the ground in Darfur.

We call upon the members of the Security Council to review the conclusions of the meeting of the Implementation Follow-Up Commission of the Doha Document for Peace in Darfur, which is made up of representatives of the Government of the Sudan, the five permanent members of the Council, neighbouring countries and international partners for peace. The Commission meets twice a year with a view to eliminating obstacles that could hinder progress in implementing the agreement. Granting this international Commission due relevance and support would ensure the elimination of all the obstacles to implementation. Moreover, the establishment of such a mechanism was a landmark event in the history of the peaceful settlement of disputes in the world.

The Sudan is currently in the process of an inclusive national dialogue, as called for and launched on the basis of an initiative of the President of our country. The dialogue includes armed movements and groups that have resorted to violence as a means to achieve political aims in Darfur. The initiative aims at exploring the prospective configuration of a

future political environment in the Sudan by building consensus on the drafting of a permanent constitution to replace the provisional Constitution of 2005, which is credited for time-bound achievements in implementing the principle of self-determination and conducting the referendum that led to the creation of the State of South Sudan.

Presidential and parliamentary elections took place in April throughout the country, including the five states of Darfur. The successful holding of violence-free elections in the context of an internal conflict provides indisputable proof of a return to normalcy in the conflict area. In that regard, I would like to note that the holding of elections in a zone of conflict anywhere in the world is indicative of the prevalence of post-conflict measures. I hope that the Council will take that into account.

What I have just mentioned does not mean that the states of Darfur are free of violence. However, incidents of violence in Darfur are not indicative of the existence of an internal conflict commensurate with the definition of such under international law, in particular the one set out in the 1997 annex II to the the four Geneva Conventions of 1949. That is also true with regard to the political narrative depicting the security situation and the real state of events on the ground in Darfur.

I should also like to refer to paragraphs 16, 25 and 27 of the report of the Secretary-General, which indicate that incidents of crime, including theft, armed robbery, carjacking and other crimes, are all being committed by individual outlaws.

The facts of the situation we have described unequivocally point to a transition from a conflict-management situation to a conflict-ending situation having occurred. What is required now is commitment to development efforts and to mitigate the devastating effects of desertification and environmental degradation in Darfur. That requries the fulfilment of the financial commitments made for development by the international community, in line with the parameters set out in the Doha Document for Peace in Darfur.

We are deeply concerned about the incidents involving attacks on UNAMID patrols by individuals or groups of individuals. They are robbing and looting and, while their numbers and weapons are inferior to those of UNAMID, they have met with little to no resistance. Seen in the context of carrying out its duty to protect civilians and their right to self-defence, those incidents justify the growing concerns regarding the relevance and efficiency of UNAMID.

We regret that we have to scrutinize the statistics with regard to certain areas in the report. For example, the report has removed those statistics from their appropriate contexts, such as in the case of the accusations levied against the Sudanese Government, which has allegedly refused to issue visas to UNAMID staff. Likewise, the number of displaced persons is inaccurate. That statistic does not take into account, for example, inter-tribal clashes, which are usually followed by immediate measures taken by State authorities to contain those hostilities. That is done with the help of the long-standing and traditional magistrate-mediated system, by creating buffer zones between the belligerent parties, which consequently results in the return of displaced persons to their villages and towns. Those numbers are not reflected in the report.

Furthermore, there is the phenomenon of what we might call temporary displacement. That involves farmers who are attracted by the material conditions offered in the internally displaced persons camps, who usually return to their villages of their own accord to cultivate the surrounding land during the rainy season and afterwards return once again to the camps. That kind of temporary displacement was not fully taken into account when the statistics were tabulated. We would like to draw the Council's attention to the statistics cited by the Darfur Regional Authority, established under the Doha Document for Peace in Darfur. They are in complete contradiction with the numbers contained in the report.

Controversy has erupted here at the United Nations during the past two weeks with regard to two episodes mentioned in the report under consideration. The first has to do with the withholding of visas for UNAMID staff members. We would like to refer the Council to a bulletin of the Office for Coordination of Humanitarian Affairs (OCHA) issued in Khartoum in May. It states that positive responses to requests for visas and travel permissions varied — and I emphasize this — between 86 per cent and 96 per cent. That statistic comes from OCHA. The arbitrary numbers mentioned in the report concerning the issuing of visas and the way that they are taken out of general context are meant, in our opinion, to level accusations against the Government in order to deem it non-cooperative, and therefore stall the peacekeeping operation.

In addition, the UNAMID mission insisted on terminating the service of a number of local staff members and replaced them with international staff, for whom visas were requested. That runs contrary to the strategic review recommendations, which called for a reduction in the number of international security personnel, who were to be replaced by local staff.

I would like to call on the Council once again to scrutinize those reports, the elements contained in the UNAMID report and the facts and figures related to the issuing of visas. We have brought those statistics here, Sir, and if you allow us, we could circulate them. The Sudan has exercised its sovereign right in disseminating those facts and figures.

The second issue is related to the customs clearance of food containers in Port Sudan. The problem of the food containers could have been solved without complications, if the UNAMID mission had complied with the customs rules that had been agreed upon — particularly in connection to its acting head — regarding the advance submission of the containers' inventories. The mission elected not to inform the Ministry for Foreign Affairs or the tripartite commission made up of UNAMID itself, the Government of the Sudan and the African Union in seeking a timely solution to the issue and avoiding a worsening of the situation. We have informed the Under-Secretary-General for Peacekeeping Operations of the particulars of that matter.

As I said at the beginning of my statement, we are prepared to cooperate with UNAMID to achieve the common goals, based on resolution 1769 (2007), on the establishment of the mission, including the development of an exit strategy, and to build on what was delivered by the tripartite commission. In that regard, we are pleased to note that the report includes clear references to cooperation on the part of the Government of the Sudan, as well as to achievements in that regard. I would like to cite the following examples.

First, there was a decrease in displacement during the reporting period.

Secondly, there is clarification of the reasons for launching air strikes against rebel armed groups and their targets:

> "The combined air and ground offensive succeeded in dislodging [Sudan Liberation Army/Abdul Wahid] from Rokero, Rowata and Burgo villages." (*S/2015/729, para. 3*)

Thirdly, in paragraph 42, the report mentions that UNAMID military personnel conducted a very large number of patrols and humanitarian armed escorts. That fact serves to refute accusations of restrictions on the movement of those forces.

Fourthly, in paragraph 73, the report refers to the efforts of the Government to contain the effects of fighting among local tribes.

Fifthly, the Secretary-General thanks the Government of Qatar for its continued support for the Doha Document for Peace, which is embraced and adhered to by the Government of the Sudan as well as by the United Nations, which was the advocate, sponsor and partner of the peace negotiations.

Lastly, in paragraph 75, the report refers to the progress made in the implementation of the Darfur Internal Dialogue and Consultation.

**The President** (*spoke in Spanish*): There are no more names inscribed on the list of speakers.

I now invite Council members to informal consultations to continue our discussion of the subject.

*The meeting rose at 10.40 a.m.*